

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lisa Swiszc Hazzard on 12/08/10.

The application has been amended as follows:

In claim 9, on line 1, replace "of claim 7 or 8" with --of claim 7--.

In claim 10, on line 1, replace "of claim 7 or 8" with --of claim 7--.

Add the following 2 claims.

24. (New) The method of claim 8 wherein each viewing bandpass has a width that is narrow enough so as to minimize contributions from other areas of the spectral region that would tend to mask the visual difference between the object and the background and wide enough to pass enough light/energy so as to make a difference in a display of a viewing device.

25. (New) The method of claim 8 wherein said viewing bandpasses are configured such that the bandwidth of adjacent viewing bandpasses partially overlap.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/16/10 has been entered.

Response to Amendment

3. The amendment received 08/16/10 has been entered in full.

Response to Arguments

4. Applicant's arguments, see pages 6-10, filed 08/16/10, with respect to the pending claims have been fully considered and are persuasive. The rejection of the pending claims has been withdrawn.

Allowable Subject Matter

5. Claims 1-2,7-11,13-15, and 20-25 are allowed.
6. The following is an examiner's statement of reasons for allowance: the claims are allowable due to the persuasive arguments of the applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN B. STREGE whose telephone number is (571)272-7457. The examiner can normally be reached on Monday-Friday between the hours of 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John B Strege/
Primary Examiner, Art Unit 2624